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SUBJECT: CHEMICAL WEAPONS CONVENTION (CWC): WRAP UP FOR THE
WEEK ENDING OCTOBER 19, 2007

This is CWC-84-07.

ARTICLE VII

¶1. (U) On October 15, Kimmo Laukkanen (Finland) chaired a consultation to draft decision text for the upcoming CSP on Article VII. The meeting was well-attended but not productive. Iran raised two significant points that seriously sidetracked discussions: (1) as the EC did not make recommendations at EC-50 and has no regular meeting before the CSP, the EC does not have a formal way to make recommendations in the form of a decision but should rely on report language that allows the work of the action plan to continue; and (2) in this light, the text should be written as generic elements that could be used for either a decision or report language at the CSP. This led to lengthy discussions about procedure and very little of substance. Del rep presented USG concerns with portions of the current text that were covered during the meeting.

¶2. (U) During the October 16 WEOG meeting, this situation was discussed. The Dutch delegation were very firm on the need for a decision, stating that Dutch voluntary contributions for Article VII assistance and support for a continued EU Joint Action would end without a clear indication that the OPCW had not suddenly reduced its priority for Article VII efforts. Also, the Germans expressed concern with paragraph 6 of the current text (giving priority assistance to SPs with chemical industries, etc.) because it differentiates between SPs in need, something they are looking to avoid in areas like universality.

¶3. (U) Because of the lack of progress on October 15, the facilitator called another meeting on October 19. The tone was much more productive. However, it was clear that Iran was still making seemingly minor editorial suggestions in order to justify having only report language at the CSP that calls for work to continue under the Action Plan. The Dutch delegation made the point they had made during the WEOG meeting) no decision, no Dutch voluntary contributions in support of Article VII outreach, etc. The facilitator scheduled the next meeting for October 25, promising a new draft text.

WEOG DISCUSSION: MANY MOVING PARTS

¶4. (SBU) At its weekly meeting October 16, in addition to Article VII as noted above, the WEOG discussed the rotation of chairmen for the Second Review Conference. Canada noted that legally the Conference chairman would also chair any special meeting during the year, including the RevCon. U.K. rep noted that the Review Conference Board has discussed the Asian Group taking the chair, with the African representative/future CSP chair (Sudan) present and not objecting. Discussion followed on whether a procedural decision will be necessary in the CSP, and on possible Asian candidates other than Iran) no one knew of any candidates coming forward other than Iran.

¶5. (SBU) There was also discussion of whether any of the ongoing facilitations (Articles VI, VII, X, XI and universality) would have agreed language in time for the CSP and whether a meeting of the EC would be necessary to approve decisions before the Conference. The TS Legal Advisor had advised delegates that a consensus text would not/not require a special session of the EC. Several WEOG delegations questioned whether it was desirable to take decisions directly to the full Conference, and whether such a procedure would not, in fact, undermine the authority and role of the EC.

OEWG: PREPARATIONS FOR THE REVIEW CONFERENCE

¶6. (U) On October 16, U.K. Amb. Lyn Parker chaired the first RevCon Working Group meeting since distribution of the draft outline report on October 2. In general, feedback on the draft outline was positive, and delegations seemed to agree that it offered a good basis for future work. Portugal, speaking on behalf of the EU, also referred delegations to the EU common position posted on the external server. A surprising number of delegations had clearly reviewed the outline in detail and were prepared to offer at least initial thoughts. France recommended adding terrorism to the implications for global security session, a suggestion that was echoed by several other delegations.

¶7. (U) Noteworthy was the presence of Iranian Ambassador Ziaran, who offered several suggestions on separating discussions of the organization of work from the progress in implementation, and inquired as to whether a political declaration, separate from the report (as was tabled at the first RevCon), would be necessary this time. South Africa noted that this is a preliminary draft, and that it might be useful to look at the future implementation of Article XI, a suggestion neatly dealt with by the Chair, who replied that the general declaration could likely include forward-looking thoughts. Dutch Ambassador Maarten Lak suggested that the role of industry be highlighted in several areas, a suggestion in keeping with previous Dutch recommendations on industry outreach as one of the key future efforts for the OPCW. Amb. Parker concluded by responding to an earlier question about the organization of work/drafting, recommending that the working group first address the substance of the report, then later pull out particularly important elements to be highlighted in a general declaration.

¶8. (U) The Director General's paper for the Review Conference was reported to be in progress and will include the Secretariat's ideas for dealing with new challenges. It is expected to be finalized in early November, in time for the next discussion of the OEWG after the CSP.

¶9. (U) Amb. Parker also reminded delegations of the upcoming NGO forum on November 19, and noted that the group of attendees is rather limited so far, a fact he attributes partly to the wide participation of many NGOs in the Tenth

Anniversary Academic Forum last month.

P-5 PERIODIC MEETING

¶10. (SBU) The Chinese Embassy hosted a P-5 meeting on October 17, with Ambassadors plus one delegate from Russia, France, the U.K. and U.S. as well as China. OPCW Deputy Director General Freeman presented a detailed report on the progress of universality, noting that in 2003 there were 40 states not party to the convention and now only 13. He then gave an update on each of the 13 states and the OPCW's outreach efforts. Ambassadors raised questions on why some of the states had not yet completed accession, but the OPCW had no specifics on why Angola, Dominican Republic and the Bahamas have not yet joined. The French ambassador stated that his government plans to host a Middle East conference, similar to the Rome seminar, during their EU presidency next year (July to December 2008). When asked about North Korea, the Chinese ambassador stated that it is too early to add chemical weapons to the nuclear agenda of the six-party talks; the Russian ambassador agreed.

¶11. (SBU) Discussion then turned to the CWC anniversary events and the OPCW's efforts to encourage implementation of the convention with the added publicity. The British ambassador said that while governments were aware of the convention, public knowledge remains low; he cited the need to deepen awareness in academia, industry and the media. The French noted that the upcoming Review Conference would be a good public relations opportunity. The Russian ambassador suggested that the P-5 exchange views on key issues before the RevCon. The U.K. recommended late January as a good time to do so. The French will host the next P-5 meeting and will put the Review Conference as the main agenda item.

REGIONAL RECEPTIONS

¶12. (U) Ambassador Javits is hosting a series of receptions for each of the regional groups before the CSP. First up was the Western European and Others Group (WEOG) on October 17, then the Eastern European Group on October 18. Delegations, particularly those from eastern Europe, expressed gratitude for the opportunity to meet with the del and each other. Future receptions include the Asian Group October 23, the Latin American and Caribbean Group (GRULAC) on October 29, and the African Group on November 6. The African Group reception will be during the CSP since so many of the African countries do not have resident staff in The Hague.

INDUSTRY CLUSTER) TRANSFER DISCREPANCIES

¶13. (U) On October 17, Kiwako Tanaka (Japan) chaired a consultation to discuss the latest facilitator's note and draft decision text on guidelines regarding declarations of import/export data for Schedule 2/3 chemicals. Many delegations (e.g., U.S. and U.K.) spoke favorably about the new text, in general. Several delegations (e.g., Australia and Italy) were concerned that the lack of specific definitions for terms like &dispatch8 and &long term storage8 made these guidelines difficult to interpret and implement. Del rep deployed guidance and reserved the right to reevaluate the text in light of accommodations of changes requested from other delegations. Germany had similar comments.

¶14. (U) Iran (without guidance from capital) said that they found the approach impractical because transit countries are not asked to report. (Their representative, Hajizadeh, claimed to have experience dealing with transfer discrepancy issues in Tehran before joining their delegation.) Iran also objected to any mention of Article VII in this decision, even after the Legal Adviser's Office staff member stated it would be appropriate to be here if the decision would mean a need to arrange or modify administrative measures to put the

guidelines into practice (which certainly seems to be the case given the large number of SPs still lacking in this area).

¶15. (U) The facilitator will work on a modified draft to try to incorporate the suggestions by delegations. She also announced that Rebekka Wullimann (Swiss NA) has agreed to join her as co-facilitator (taking the place of Merel Jonker of the Dutch delegation who has moved on to new responsibilities). The EC Chair has been informed and the approval process initiated.

INDUSTRY CLUSTER) LATE DECLARATIONS

¶16. (U) On October 17, Larry Denyer (US Del) chaired a consultation on the draft decision regarding late submission of declarations. Input was constructive and progress was made. In the end, Iran made a last-minute suggestion to delete the last five paragraphs of the decision (focused on assistance and reporting), claiming that these were already dealt with under Article VII efforts. Although lacking real logic, it seems obvious that they want to use this as a way to balance this with Article VII with Article XI.

¶17. (U) Given the progress made and the limited time available during this first meeting, a second meeting was called on October 19. Iran and a few other delegations did not attend, presumably because of the relatively short notice. However, good progress was made again with this smaller group. Iran's proposal to remove the final paragraphs of the decision was rebuffed as these are the most important aspect of the decision for delegations like South Africa.

¶18. (U) The facilitator will prepare a new draft based on comments from delegations early in the week of October 29, with the intent to hold another consultation later that week.

PREPARATIONS FOR EC VISIT

¶19. (U) Amb. Javits and Del rep met with EC visit participants on October 18 to review the visit program, safety requirements, and additional administrative arrangements prior to the departure of the delegation on October 21 for Washington. Del rep provided a one-page update on progress at the Anniston Chemical Agent Disposal Facility, and Chemical Demilitarization Branch officer Gabriela Coman-Enescu, who will be accompanying the delegation to Anniston, provided an overview of verification and optimization measures at the facility. EC participants had some questions about terminology used in the TS presentation, and about whether they would have access to inspectors (France) during the visit, but none on the visit program itself.

¶20. JAVITS SENDS.
Gallagher